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State OHIO

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42 CFR 431.202
AT-79-29
AT-80-34

4.2 Hearings for Applicants and Recipients

The Medicaid agency has a system of hearings that meets all the requirements of 42 CFR Part 431, Subpart E.

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4.2 (Continued)

(A) A previous existing authorization for payment of long term care facility services shall be considered to continue in the following cases:

1) When a recipient transfers from one certified long term care facility (LTCF) to another similarly certified LTCF without interruption of service and the documentation for level of care review is submitted to ODHS in accordance with ODHS rule.

2) When a recipient returns from a hospital to the same or any similarly certified LTCF after exhaustion of his/her reserved bed days, pursuant to 42 CFR 447.40 and the documentation for level of care review is submitted to ODHS in accordance with ODHS rule.

3) When a recipient returns to the same or similarly certified LTCF from visits with friends or relatives or participation in therapeutic programs within 30 days after exhaustion of his/her reserved bed days, pursuant to 42 CFR 447.40 and the documentation for level of care review is submitted to ODHS in accordance with ODHS rules.

4) When a recipient is determined by ODHS to no longer be in need of long term care facility services, the recipient, and/or responsible party shall be sent written notice in accordance with 42 CFR 435.919 prior to termination of payment for long term care facility services.

(B) A completed application for a determination of the need for LTCF services will not be denied by ODHS or its designee until a qualified medical professional, whose qualifications include being a registered nurse, conducts a face to face assessment of the applicant/recipient.